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ABSTRACT

This guide contains the 1996 mock trial materials for the District of Columbia mock trial program. The trial focuses on a high school student who died of a heart attack attributed to the use of steroids. The plaintiff, the student's father, alleges that the school, its principal, and track coach were negligent in the death because they failed to supervise the safety of students. The guide contains: facts of the case; a statement of claims, defenses, and relief; applicable statutory and case law; rules of the family court in the "New Columbia"; witness statements; a release from liability form signed by the petitioner; safety statistics from the school; a letter from the petitioner to the school warning of the danger of steroid usage; an illustrated information sheet on the warning signs of steroid usage, and a memo from the principal of the school discussing the drug testing of athletes. (TSV)

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Official 1996 Mock Trial Materials

for the

TWENTY-FOURTH ANNUAL
DISTRICT OF COLUMBIA
PUBLIC SCHOOLS
MOCK TRIAL PROGRAM

ED 461 528

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KYLE WILKINS,
Plaintiff,

V.

NEW COLUMBIA COUNTY SCHOOL DISTRICT,
Defendant.

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IN THE SUPERIOR COURT
OF NEW COLUMBIA COUNTY
Civil Division

Kyle Wilkins, Individually and in the Capacity of Representative of the Estate of the Minor Chris Wilkins, Plaintiff,

v.

Civil Action: No. 1812--96

New Columbia County School District, Defendant.

STIPULATED FACTS

All parties to this action do hereby agree and stipulate to the accuracy of the following facts:

Chris Wilkins, a senior at Lincoln High School in New Columbia County, died on March 24, 1995 from a heart attack caused by excessive steroid usage and steroids ingested that day. Dan Peters, a junior, sold Chris anabolic steroids on the day of Chris's death. The sale took place inside Lincoln High School after Dan entered the school by opening the side exit door located next to the teachers' parking lot.

Chris Wilkins attended Lincoln High School from the fall of 1991 until his/her death. March 24th was the day of the Tri-Conference track meet hosted by Lincoln High School. Chris was a member of the Lincoln track team. While warming-up, Chris collapsed and was rushed to the New Columbia Hospital by ambulance, accompanied by his/her parent Kyle Wilkins. Chris was pronounced dead at 4:15 p.m.

Lincoln High School (grades 9th-12th), located in a high crime neighborhood in New Columbia County, has a student body of 1,000. Dr. Terry Taylor has been the principal since 1992. Marion Summers is the police captain for an area that encompasses Lincoln High School. The school is particularly proud of its nationally respected track program that has produced highly gifted athletes. Chris ran varsity track throughout his/her high school career and showed great promise. The track team is coached by Pat Connor. Jamie Wallace was also a member of the track team.

In the summer of 1994, the New Columbia County School District commissioned Dr. Devon Garnet to examine issues related to school safety at Lincoln

High School. Dr. Garnet submitted recommendations to Principal Taylor and the School District on January 20, 1995.

The New Columbia County School District contains twenty-five high schools with enrollments ranging from 500 to 2,000 students. New Columbia, like many school districts nationally, is facing tough fiscal times. Eighty per cent of the families in the New Columbia School District have incomes at or near the middle income of American families. The New Columbia County School District also contain pockets of poverty and wealth.

CLAIMS AND DEFENSES

Kyle Wilkins, parent and representative of the estate of Chris Wilkins, brings this action against the New Columbia County School District for damages stemming from the March 24th, 1995 death of Chris Wilkins. Plaintiff Kyle Wilkins claims that the negligence of Lincoln High School, in particular Principal Terry Taylor and track coach Pat Connor, caused the death of Chris Wilkins. Plaintiff alleges that the New Columbia County School District failed to supervise the safety of students at Lincoln High School as required under the New Columbia Safe Schools Act, Sec. 16-2400, et seq.

Defendant, the New Columbia County School District, defends by claiming that the school district was not negligent in the events surrounding the unfortunate death of Chris Wilkins.

Plaintiff is seeking $5,000,000 in compensatory damages (loss of life, consortium, earning potential, and medical costs). Defendant does not contest the amount of damages, but denies liability.

ADDITIONAL STIPULATIONS

The parties have stipulated to the authenticity of the following items:

1. The "Release from Liability" Agreement between Kyle Wilkins and Pat Connor.
2. The "Safety Statistics" Chart prepared by Dr. Devon Garnet.
3. The November 12, 1994 letter to Kyle Wilkins from Principal Taylor and the attached flier. Kyle Wilkins received the letter and attachment.
4. The October 18, 1994 memorandum on drug testing written by Captain Marion Summers.

The parties reserve the right to dispute any other legal or factual conclusions based on these items and to make objections to these items based on other evidentiary issues.

APPLICABLE LAW OF NEW COLUMBIA[1]

Statutory Law

Sec. 16-2400. Safe Schools Act

(A) A school district has a duty to provide for the health and safety of its students on school premises during school hours and to enforce pertinent rules and regulations. A failure to do so constitutes actionable negligence.

(B) The duty of care owed by the school district to students is that which a reasonable parent would exercise under similar circumstances.

(C) A school district has a duty to supervise students in a manner appropriate to the age of the students and the circumstances.

(D) An agent of a school, such as a teacher, a coach, an administrator, or staff member, has a duty to maintain the degree of care which a reasonable person with the duties involved would exercise under the same circumstances.

(E) The New Columbia County School District is liable for the negligent acts or omissions of its agents.

(F) For suits against the school district brought under this section, the New Columbia County School District waives any claims of immunity.

Sec. 18-101. Negligence. Standards Governing Tort Actions

(A) Standard Governing Negligence Actions

i. To support a finding of negligence, a plaintiff must prove by a preponderance of the evidence that:

a) defendant owed plaintiff a duty of care;
b) defendant breached that duty:
c) defendant's breach caused plaintiff's injuries; and
d) plaintiff suffered damages as a result.

(B) Comparative Negligence: In a negligence action, to assess damages,

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[1] The statutory and case law are fictitious. However, for the purposes of this mock trial, statutes or case law are binding if from the jurisdiction of New Columbia.

the finder of fact must:

i. determine the percentage of fault attributable to each party; and

ii. reduce the amount of the damages due the plaintiff by the percentage of fault attributed to the plaintiff.

iii. In an action for damages brought by any representative of an estate, who is also a parent of the deceased, the actions of both the deceased and the parent must be considered when applying the comparative negligence provisions.

Sec. 2-231. Sale of Controlled Substances

(A) It shall constitute a crime in New Columbia to sell, without the written authorization of a licensed physician, the following chemical compounds:

. . .

iii. anabolic steroids

(B) The unauthorized sale of any of the above-listed chemical compounds shall carry a fine not exceeding $5,000 and/or a term of confinement not exceeding 10 months.

CASE LAW

Davis v. Freemont County School District, 171 A.2d 134 (New Columbia, Supreme Court 1986)

Summary of Facts: On Appeal. On March 12, 1984, John Davis, a Central High School Junior, was leaving school when he was approached by his friend and fellow student, Frank Hopkins. The Vice Principal was standing nearby supervising the dismissal of the one hundred students. Unknown to anyone else, Frank was carrying a pistol in his knapsack. When Frank reached into his knapsack to get a book for John, he accidentally pulled the trigger of the gun. The bullet struck John's right eye, causing its permanent loss.

The Davis family sued the Freemont County School District for $1,000,000, claiming that the school's negligent supervision caused John's injury. The Davises lost in the trial court and now appeal the decision.

Holding: We agree with the reasoning of the trial court and hold that the school district is not liable for the unfortunate injuries to John Davis. A school can only be held liable for failing to adequately supervise students if the plaintiff proves that the supervision was inadequate and that there was a causal connection between the injury and the lack of supervision. An injury to a student caused by an impulsive, unanticipated act of another student will not generally give rise to a finding of negligence on the part of the school.

The presence of the Vice Principal outside supervising the dismissal of a hundred students is adequate supervision under the circumstances. Even if the supervision were inadequate, plaintiff could not have established a causal connection between a failure to supervise and the gun's firing. The strictest supervision could not have prevented the shooting, since there was no way of determining that Frank had a gun in his bag. There had been absolutely no instances of students bringing guns to school in the past ten years. In addition, there was no prior conduct on Frank's part that would have put the school on notice that he would be likely to carry a gun.

A.A. v. Centreville County School District, 233 A.2d 101 (New Columbia, Supreme Court, 1992)

Summary of Facts: On appeal. On November 12, 1987, a second grader, A.A. was seriously assaulted by a fifth grader, J.E., in the school gym dressing rooms at Dean Elementary school. Suit was brought against the school district for negligent supervision. The trial court reasoned that the school was not negligent because it was not foreseeable that the fifth grader would have committed the assault and therefore dismissed the case. Plaintiff appealed.

Holding: We reverse the finding of the lower court and remand the case for trial. In general, schools will not be held negligent for injuries caused by unpreventable and unanticipated acts of a third party. However, this serious assault may have been both foreseeable and preventable. The school was on notice of J.E.'s aggressive, uncontrollable behavior that consisted of kicking, spitting, and choking other students;

of a psychological profile that commented that J.E. was "a disaster in the making;" and of a history of repeated physical abuse by his family. In addition, the school had received ten separate complaints over three years regarding the lack of supervision in the school dressing rooms. There maybe sufficient facts for a reasonable trier of fact to hold the school liable for negligence.

Miller v. Centreville County School District, 266 A.2d 101 (New Columbia, Supreme Court, 1993)

Summary of Facts: On appeal. On March 2, 1990, Lisa Miller, a sixth-grader, was riding a merry-go-round with five friends during recess at Lakeside Elementary. There were fifty sixth graders at recess and only one teacher, Ms. Darsie. The other third grade teacher was ill that day.

Ms. Darsie noticed that the merry-go-round was going too fast because Lisa was pushing it tremendously hard. Ms. Darsie asked the girls to slow down. At that moment, Ms. Darsie heard two boys fighting and ran to the basketball court. When Ms. Darsie had gone no more than 30 feet, she heard one of the girls yell that Lisa was hurt. Immediately, Ms. Darsie returned to the merry-go-round. As a result of falling from the merry-go-round, Lisa suffered a broken leg and a sprained hand. Lisa stated that she had been riding on the inside of the merry-go-round and tried to get off when the machine was in motion. Her family brought suit against the school district based on negligent supervision. A jury found that the school was negligent in allowing a single teacher to supervise fifty students and accordingly, awarded the family $15,000 in medical costs and $12,000 for pain and suffering. The judge failed to instruct the jury to consider the negligence, if any, of the plaintiff. The school district appealed the award.

Holding: We agree that a reasonable jury could conclude that the school district was negligent in not having more than one teacher on duty to monitor the recess of fifty rowdy sixth graders. However, we find that the judge erred in failing to instruct the jury regarding the doctrine of comparative negligence. The fault of a minor can be taken into account under the doctrine of comparative negligence. In this instance, Lisa contributed to her injuries by failing to obey her teacher's instructions to slow down, by sitting facing inward, and by jumping off the merry-go-round when it was motion. We remand the case for an adjustment of the damage award reflecting the degree of fault, if any, attributable to Lisa.

WITNESSES TO APPEAR BEFORE THE COURT

For Plaintiff, Estate of Chris Wilkins

* Kyle Wilkins, Parent of Chris Wilkins

* Pat Connor, Track Coach, Lincoln High School

* Dr. Devon Garnet, Educational Safety Specialist

For the Defendant, New Columbia County School District

* Dr. Terry Taylor, Principal, Lincoln High School

* Jamie Wallace, former Lincoln High School student

* Marion Summers, Police Captain, New Columbia

KYLE WILKINS - WITNESS STATEMENT

(Plaintiff)

March 24th, 1995 was the worst day of my life. That was the day my Chris was killed. I am fifty years old. I attended Northeast University from 1964 to 1968, where I received a full four-year track scholarship. I majored in public administration and maintained an A- average while spending about thirty hours per week training. I shattered all the school sprint records. My junior and senior years, I was selected All-American. I even tried out for the 1968 Olympic Team but missed qualifying by .1 seconds in the 100 meters.

After graduating from college in 1968, I moved to New Columbia to start my job at Capital City Bank as a cashier. It was there that I met my spouse Toni. During college and high school, I never dated since I didn't want to be distracted from my goals. When Toni came into my life, I fell madly in love. We were married in June of 1970.

My career took off. In 1971, I became head cashier, then in 1973 I was promoted to bank manager. In 1979, we had Chris, our pride and joy. Then in 1981, we had Jennifer. My life was a dream come true with a nice house, two beautiful children, and a loving marriage. But in 1988, my dreams were ruined when Toni was killed in a car accident by a drunk driver.

My job is important to me but I lived for Chris and Jennifer. Chris was the perfect child. From kindergarten through 8th grade, Chris went to St. Richard's, a private Catholic School that had a total enrollment of 200 students and an outstanding reputation. Chris excelled at school both

academically and athletically. In 5th grade, I decided that Chris needed to drop basketball and soccer and focus on running.

For 9th grade, I decided to enroll Chris at Lincoln High School, the local public school, which had a solid academic reputation and, most importantly, a nationally ranked track team. My good friend Pat Connor is the track coach. I knew Pat from college where we were the college track stars. Pat assured me that she/he would keep an eye on Chris. Lincoln has over 250 students in each grade and is located in a rough area -- a drug market is just three blocks away. Some of the kids at Lincoln are the kind that could get my Chris into trouble. Around the time Chris entered 9th grade, I became regional manager. I loved being the regional manager but the 60+ hours per week were difficult. I resigned as the regional manager after Chris's death. I just couldn't handle the stress of the job. Currently, I am a branch manager and make half as much as before my resignation.

I was concerned when Chris entered Lincoln because he/she had been so sheltered at St. Richard's. Peer pressure is a powerful thing, so I still felt the need to structure Chris's days so as to minimize the risk of him/her falling in with a bad crowd. From 8:30 a.m. until 3:30 p.m., Chris was in classes. After school, he/she was training for track with Pat. Pat would then drive Chris home after practice. Chris and Jennifer would fix dinner, do their chores and their homework until I arrived home from work at 8:00 p.m. I decided that it just wasn't safe to allow Chris to attend anything but school-related running events-- he/she could get killed by a drunk driver or be peer-pressured into using drugs. I didn't want to take any chances on such a promising future.

Freshman year, Pat had the crazy idea of putting Chris on the Junior Varsity squad. Pat said something about saving him/her from excessive pounding on his/her weak knee. It was just a minor inflammation. I told Pat that Chris's future depended on running varsity all four years and that Chris's knee would survive. Pat realized that I was right and Chris ran for the varsity beginning his/her freshman year.

By his/her junior year, Chris became one of the team's leading sprinters. By senior year Chris reached a new plateau thanks to his/her new body -- the body of an Olympic athlete. During the summer before his/her senior year, Chris and I would sometimes train together. His/Her progress was unbelievable. He/She became increasingly muscular. Chris cut 1/2 a second off of his/her 100 meter time -- an incredible achievement. Chris was an extremely hard worker. He'd/She'd train year round waking, up at five a.m. to fit in two runs per day. He/She lifted weights, drank power shakes, and read all he/she could about body building. Chris was being recruited by some of the top track schools in the country. Running was the key to his/her future.

In the spring of Chris's junior year, his/her grades slipped from mostly A's to some A's, a few B's and one C in English. I figured that Chris was taking it easy to focus on running. His/Her grades got slightly worse senior year. Otherwise, things were just as they'd always been except he/she sometimes would get in bad moods. My friends and I chuckled about how hormones could make teenagers unbearable at times. Like any teenager, Chris was concerned about his/her appearance. He/She frequently brushed his/her teeth, used quarts of mouthwash, and often washed

his/her face. However, he/she couldn't prevent getting the typical teenage case of acne. Chris had perfect attendance senior year except for a few sick days due to severe headaches.

In the fall of Chris's senior year, I arranged a meeting with Principal Taylor to discuss the school's nominating Chris for the Carl Lewis scholarship. I couldn't believe my eyes. At 10:30 a.m., as I entered the school from the main entrance, I had to walk through a metal detector. It beeped -- likely due to my belt buckle -- but no security officer was seated at the front desk to check if I was carrying anything dangerous. I just walked on in. As I was approaching the Principal's office, I saw a student handing another student what appeared to be a joint. To my dismay, I saw two friends of Chris's from the track team exchanging some pills near the side exit door leading out into the teachers' parking lot. Ironically, there was a sign on the wall warning of the dangers of drug use. I didn't mention any of these incidents to Principal Taylor since I didn't want to ruin Chris's chances for the nomination.

At the meeting, Principal Taylor indicated that Chris's chances of getting the Carl Lewis Scholarship were excellent if his/her behavior did not slip any further. Principal Taylor suggested that Chris might need counseling to deal with the loss of his/her parent. I felt insulted. After all, I was an excellent parent.

The track team had won the statewide championship for the last two out of three years thanks mostly to Chris. In September of 1994, USA News ranked the team number five in the nation. In the fall of 1994, Principal Taylor called four all-school pep rallies for the team. I spent about two to

three hours at each rally and on each occasion, I only saw one security officer in the school. On each visit, however, I did see about ten students coming in the side exit doors. I told them to stop or they'd get suspended. That's what the signs next to each exit said. They just laughed and did as they pleased.

I also went to a rally in March of 1995 before the all important Tri-Conference Meet. Principal Taylor announced that the whole school was depending on the team to show the nation that something good could happen in the New Columbian Schools. He/She ended by proclaiming, "nothing will stand in our path to victory."

March 24th was the day of the Tri-Conference Meet. A win by the Lincoln team would guarantee a place in the nationals. Chris had been edgy all week about the meet, so much so that he/she had red splotches all over his/her chest. The day was unusually hot. Chris was running a few warm-up laps around the track and then suddenly, he/she collapsed.

Chris was immediately placed on a stretcher. While we were rushing toward the ambulance that fortunately was always at school for sporting events, Chris's former best friend Jamie Wallace told me that Chris had bought and used steroids that day in school. Jamie had been trying to sabotage Chris's track career since Jamie wanted to win the Carl Lewis scholarship at any cost.

Chris died on the way to the hospital. An autopsy revealed excessive steroid use that triggered a heart attack. I had no clue about any steroid use along the way or I would have done something to prevent this tragedy. But the tragedy could have been prevented if the school had cared. I

blame everyone associated with the New Columbia County School District, even my friend Pat Connor. But I have forgiven Pat because he/she is coming forward to tell the truth and to admit his/her responsibility.

PAT CONNOR - WITNESS STATEMENT

(Testifying for Plaintiff)

My name is Pat Connor. I am fifty years old. I work at Lincoln High School. For the last fifteen years, I have taught physical education and coached the championship boys/girls track team at Lincoln High School. We average about twenty-five athletes. Chris Wilkins was one of my star runners. I still can't believe he/she is dead. I am completely torn up about it. He/She had so much potential, so much to look forward to.

The death of any of my students would upset me, particularly someone I've coached, but I was particularly close to Chris. His/her father/mother and I go way back. Kyle Wilkins and I ran track together at Northeast University. We were both All-American, and we both qualified to compete at the Olympic team trials in 1968. Neither of us made the team, though. Kyle Wilkins didn't qualify and I was disqualified after a random urine test of mine turned up dirty. I admitted to using steroids, but I only used them to improve my chances of making the team. I had mononucleosis a few months earlier. I was a fool for ruining my running career. Kyle was instrumental in helping me get over the incident and move on with my life. We lost touch for awhile, but we met again when we both ended up in New Columbia County.

Chris didn't appear to have much of Kyle's running genes when he/she first tried out for the team his/her freshman year. He/She barely made the team, in fact. I didn't have the heart to cut my friend's kid, especially after talking with Kyle, so I gave Chris the benefit of the doubt. I never regretted it. By his/her senior year, Chris was our star runner.

In the spring of 1994, we lost the State Championship. Chris choked: last in the 100 meters and sixth in the 200 meters. He/She must have really trained hard afterwards because there was a marked difference in both his/her physical appearance and his/her running ability. Chris became extremely muscular. His/Her times improved by half a second. While this was a big improvement, it wasn't too unusual given the ability of our athletes and the achievements of other students. Indeed, Chris led the team in points at all his/her senior meets.

Hindsight is 20/20, so I guess I should have known that Chris was using steroids. I feel just terrible that as Chris's coach, I didn't really do anything about his/her drug problem. I overlooked the obvious because of all the pressure Principal Taylor was putting on my team to win. In addition, some of the symptoms of steroid use that Chris showed were similar to typical teenage problems. Moreover, I believed that my job was at stake if we lost the State Championship.

Kyle blames Lincoln High School for Chris' death and with good reason. If a kid as great as Chris resorted to steroid use, it's clear to me that it's because the school's environment allowed for steroid use and sales to flourish. Kyle did everything humanly possible to protect Chris. I think Chris's Dad/Mom is right on the money in blaming Principal Taylor. He/She definitely could have done more to help Chris and to increase school safety. I know he/she was a big safety guru at his/her last school, but this isn't Smalltown, USA. He/She thinks that a few lousy seminars and pep rallies are enough to combat the immense problems here in New Columbia. When Principal Taylor came here in the summer of 1992, he/she called for

the creation of a safety zone where students could pursue dreams of college and satisfying careers away from the distractions of the street. In support of that goal, Principal Taylor set up a school safety committee. This was needed especially in light of the September 1992 drug-related death of a student during first period. I heard from Principal Taylor that this student had bought drugs near the teachers' parking lot from some drug dealer.

I served as the chair of the Safety Committee for the 1992-93 term. At first, Principal Taylor seemed receptive to our suggestions for improvement, such as the installation of a metal detector and the hiring of two additional security guards. But when we suggested other excellent ideas like having faculty workshops on monitoring safety, or issuing school IDs, Principal Taylor said the school was doing all it could afford to do. I urged her/him to begin drug testing some of the athletes. I thought drug testing was a particularly great idea given that it was working so well at our rival high school. Principal Taylor said that drug testing was unnecessary since our students could be trusted.

Even when I suggested forming a parents' volunteer corps, Principal Taylor nixed that idea saying that the school didn't want to give parents the impression that safety was a problem. I resigned from the committee in June of 1993 because I became frustrated with Principal Taylor's inaction.

Lincoln High School is a scary place. The surrounding neighborhood is a drug market. No doubt drugs get into the school because of the ineffectiveness of the security officers. One is required to be posted at the front door at all times. However, on at least one morning each week, the

security guard is nowhere to be found when I arrive. That officer is also responsible for searching students' bags. The officer will pat down the known trouble-makers but that's about it. On a daily basis, I see at least 10 kids with glassy eyes and silly grins. I can't turn them in since I don't have any proof of actual drug use, but I'm no fool.

The other officers patrol the hallways, paying particular attention to the side exit doors. Teachers and staff assist the officers by preventing students from using the exit doors. I know of two staff members who have old criminal records for selling drugs.

The death of Chris proves that the school needed to do more. It is clear that Principal Taylor is scared, because he/she is trying to paint a negative picture of Chris like he/she was a druggie or something. Chris used steroids because of all the pressure he/she was under. Principal Taylor claims Chris had a terrible attendance record. Well, that sure wasn't the case with track. I wouldn't be surprised if Principal Taylor changed the attendance records. I wouldn't put it beyond him/her because he/she told me that if I didn't testify in favor of the school, then he/she would fire me.

This isn't the first time Principal Taylor threatened to fire me. In the spring of 1994, I had a major run-in with the principal about Dan Peters. I thought it was highly hypocritical of Principal Taylor to allow Dan to continue to run track after he was caught in the school bathroom smoking pot and possessing a sizable amount of steroids. Additionally, Dan violated the agreement that all school athletes must sign pledging that they will refrain from drinking and using any drugs. Even though Principal Taylor suspended him, he/she permitted Dan to keep running and stay on the

team. I was furious. I confronted Principal Taylor, arguing that he/she was sending a terrible message to the kids. "Dan's a great runner and we can't lose him," he/she responded. Principal Taylor then reminded me that if I couldn't be a team player at Lincoln then maybe I needed to find a new team. What made Principal Taylor's decision even more aggravating was that this wasn't the first time that Dan had been caught smoking pot. I guess my stern lecture and three-week team suspension from track back in September of 1992 did not work.

On two occasions, during the fall of Chris's senior year, I approached Principal Taylor about two of my runners whom I suspected of using steroids. They had all the telltale signs -- acne, bad breath, balding, moodiness, headaches -- and their running times improved too quickly. I approached Principal Taylor about the situation. I mentioned that drug testing might be a good idea. Principal Taylor said "Don't worry, they are top runners and there's no proof that they are using steroids, so we can't do anything." I needed to do something, so I talked to the kids about my own disastrous problems with steroid use and told them I would kick them or any others off the team if they were using steroids or any other drugs. Principal Taylor never did anything to my knowledge.

I'm sure that Principal Taylor now realizes his/her approach didn't cut it. Unfortunately for Kyle Wilkins, though, it's too late to bring Chris back.

Dr. DEVON GARNET - WITNESS STATEMENT

(Testifying for Plaintiff)

I am a security expert for schools. This is a new field that started because of the safety crisis facing our schools. From 1976-80, I attended Western University and majored in criminal justice. I wrote my undergraduate thesis on identifying the characteristics of juveniles who commit violent acts. Upon graduation, I taught U.S. government for three years at a public high school in Detroit, Michigan, where I became painfully aware of the dangers facing students and teachers. I decided I wanted to study school safety issues, so in 1984 I enrolled in a three year Ph.D program in security administration at Detroit University. I received extensive training in developing and implementing security systems in schools. I focused on analyzing security issues for high schools with over five hundred students.

Upon graduation, from 1988-91, I worked for the U.S. Department of Education analyzing ways to make schools safer. I did extensive research on what measures were most effective in curtailing violence and drug use in schools.

In June of 1991, I started my own business, Educational Safety Consulting (ESC). I enjoy running my own company and supervising my staff of four. My company helps schools develop safety plans or improve their existing security systems. In December of 1993, the New Columbia School District contracted ESC to analyze the existing security system and recommend improvements for Lincoln High School. The District mentioned concern about Lincoln's safety record. Because of budgetary problems,

the District still owes me $3,000 for my work.

In the last two years, I have testified five times at trials regarding the safety records of various schools. At three of those trials, I testified on behalf of the plaintiff. I am being paid my regular rate of $175 per hour for research and testimony at this trial.

To analyze the effectiveness of a school's existing system, I employ a two step process which has proven highly effective. These are the only steps that I need to take for an accurate initial study.

The first step is to identify and then compare important features of the target school such as the location, number of students, and prevalence of drugs and weapons with statistically similar schools. Lincoln is located in the New Columbia County School District which includes twenty-five high schools. Lincoln is located in an area of the county that contains the highest crime and drug usage. In my opinion, twenty-three of the twenty-five schools have a better safety system than Lincoln. I base this finding on my familiarity with the area of school safety, in general. I've formally studied eight of the twenty-five schools. Lincoln has a student population of 1,000. It is a two-story red brick building with a basement that houses the cafeteria and some classrooms. It has one main entrance on the first floor and six side exits. Four exits are located on the first floor, two on the side and two on the backside. Two exits are located in the basement on the two sides. Lincoln's student/faculty ratio is adequate. However, its student/security ratio is woefully inadequate. Background and experience of the security officers is average.

After identifying these important features, I compared Lincoln to

statistically similar schools. I charted some of my findings. The chart revealed certain troubling trends for the period of January through December of 1994. For instance, Lincoln has only 4 security officers while comparable schools have between 6 and 8. In addition, Lincoln's total number of drugs discovered on school property seemed very high. Lincoln's troubled location is in part responsible.

The second step of my analysis was to spend a total of ten consecutive days at the school in order to gain an insider's perspective on the effectiveness of the security measures. I "attended" Lincoln from December 4th -15th, 1994. The security system at Lincoln High School struck me as a disaster waiting to happen. I did , however, notice several features of the system which help to foster a safe environment, such as having a metal detector and a security guard posted at the main entrance at all times, hanging posters detailing the dangers of drugs and weapons all over the school, hosting special assemblies, encouraging staff and faculty involvement in fostering a safe environment, and suspending students who create dangers in the school. But this is not enough. Lincoln does not have enough security officers -- only 3 patrolling and the officer at the front desk is 75 years old. The six exit doors pose a serious threat since students can enter these unlocked and unattended doors from the outside. Signs are posted, both inside and outside, warning students that entering or exiting through the side doors except in case of fire are grounds for suspension. But at least five to fifteen individuals per day ignore these warnings and get away with it. Three times, I saw the same security officer permit students to enter the building from a side exit without even reprimanding them. On

several occasions, an officer would warn the students not to use the doors or face suspension. On six occasions, the officers hauled the students to the principal's office.

In addition, there are absolutely no locker searches, so drugs can easily be kept at school. On December 6, I observed students in the teachers' parking lot exchanging for cash a bag with a powdery white substance in it. On December 7, I saw three students exchanging pills in the front hall.

I also talked with many students and teachers. Jamie Wallace, a senior, informed me that the school is a drug market with virtually all varieties of drugs available. Jamie also said that there were no drug sniffing dogs to be found so students weren't afraid to come through the main entrance loaded with drugs. Jamie told me that the track athletes can do pretty much what they want so long as they keep winning and that many of them use steroids. Anita Flowers, a junior, told me that she once saw a student swallowing three steroids pills, but she didn't report it.

In a January 20, 1995 report submitted to Principal Taylor and the new Columbia County School District, I made the following eight recommendations for Lincoln to improve its safety record:

1) providing for random locker searches at least five times per month or, in the alternative, glass see-through lockers;
2) installing side doors that can only be opened in the event of an emergency (projected cost $30,000); or, at a minimum, installing chains on the doors so that they cannot be opened (projected cost $1,000) or installing bells that warn if the doors have been opened (projected cost $4,500);
3) arranging for drug-sniffing dogs on premises two times per month;
4) hiring of three additional security officers;
5) requiring photo IDs of staff and students;
6) better monitoring of existing security personnel;

7) forming a volunteer security corps that would help monitor school safety; and

8) requiring random drug testing of all athletes.

On a scale of 1 to 10, I would rate Lincoln a 4 in terms of safety.

Dr. TERRY TAYLOR - WITNESS STATEMENT

(Testifying for Defendant)

I am the principal of Lincoln High School in New Columbia. The school has a student body of 1,000. I received my BA in English from West University in 1980 and my Masters in Educational Administration from Ohio East University in 1982. Upon the completion of my Masters, I spent two years working for the Ohio State Board of Education, where I specifically focused on curbing violence and drug usage in public schools. I then spent three years as the Assistant Principal at Deerfield High School in Oakview, Ohio, before taking over as Deerfield's principal in 1987. In the 5 years I served as Deerfield High School principal, the number of drugs on school property dropped dramatically.

In 1992, I moved to New Columbia to be the principal of Lincoln Senior High School. The PTA and the New Columbia County School District were impressed with my experience in addressing and curbing school violence and drug usage, and I was delighted to accept the challenge of making Lincoln a safer learning environment. I have been the principal at Lincoln for almost four years now. I have made tremendous strides in reducing the prevalence of drugs and violence at Lincoln, especially given the prevalence of drugs and crime in the neighborhood. Things were so bad when I first arrived that a student died of a drug overdose in home room during the first week of classes. There's not much that I can do about what students do outside of school. Now Lincoln is a school where students excel academically and athletically.

The first step I took when I became the principal was to create a

security committee which was responsible for ideas on creating a safer school environment. Pat Connor was chair of this committee until I asked for his/her resignation. I just could not get along with Pat. I implemented many of the commission's suggestions as well as my own. I tried to hire four new security officers but, because of the budget problems, I was only able to hire two, for a total of five. Luckily, Officer Davis's experience and professionalism equal the work of two average officers. Officer Davis requires everyone to enter through a metal detector and searches their bags.

Marion Summers, the New Columbia Police Captain, has been instrumental in helping Lincoln remain safe. Thanks to him/her, two officers randomly show up at the school one or two times a week. In addition beginning in the fall of 1994, I managed to arrange for a drug-sniffing dog to come into the school about once a month. The students have mentioned to me that the dog works wonders. In the fall of 1994, I also explored the idea of drug testing. I wanted to randomly test all students for drugs but the New Columbia County School District attorney told me that we could run into legal problems if we didn't have any indications of drug use to establish sufficient suspicion.

Despite the financial pressures, I was able to take numerous concrete steps to improve security. In the spring of 1994, I chained shut the six side school doors leading to the outside so as to physically prevent drug dealers from entering school property. The dealers loved to enter the school that way to avoid the main entrance that was carefully patrolled by Officer Davis. I also instructed the security officers to patrol the halls instead of

concentrating all of their efforts on the front door. Unfortunately, I was ordered by the Superintendent in August of 1994, to take the chains off because they created a fire code violation. Ever since then, I have done my best to make sure that our security officers, teachers, and students monitor these doors. I tried to obtain special exit doors that could only be opened in the event of an emergency. These doors cost over $30,000, however, so I knew that the School District wouldn't pay for them. There are signs posted, both inside and out, at every exit door. The signs advise students that it is illegal to enter or exit or to help someone enter or exit through the doors. The signs also advise students that breaking the rule carries a suspension.

Despite the size of the school, we have a family atmosphere where I recognize all the students. I encourage my staff to do likewise. That way, it's easy to spot and apprehend anyone who does not belong in the building. In 1993, I set up a telephone number where students could call anonymously to report any safety concerns. The hotline won an award for excellence in 1994.

In addition, I periodically hold seminars and conduct poster campaigns for the student body and staff on issues such as guns, gang violence, and drugs. We don't have a major problem with drugs or gangs at Lincoln but it's important to alert students to the harms of a larger world. This past December, as part of New Columbia's Drug Awareness Week, I organized a widely publicized presentation about the dangers of drug use. The panelists specifically cautioned the students that you don't have to use hard drugs to be in grave danger. They spelled out in great detail the dangers of drugs that are popular with today's youth -- marijuana, nitrous

oxide, and steroids. I remember them mentioning steroids in particular because I recall that Coach Connor had a funny look on his/her face. Chris Wilkins was also there.

Because of the harsh penalties that I impose for anyone caught using or selling drugs or alcohol, I've earned the nickname "the enforcer." During the 1992/93 school year, thirty students were expelled for drug related offenses. My predecessor did not have much experience curbing school drug use, so the school district asked her/him to leave and hired me. It would have been impossible for me to change the situation overnight. During the 1993/94 year, only twelve were expelled for drug-related offenses. Six of those twelve students were athletes. Two of them were caught using steroids and both were wrestlers. The other four were basketball players who used marijuana before a game. The expulsions took care of any drug-related problems. But as an extra precautionary measure, in the fall of 1994, I intensified my efforts to educate and monitor the athletic teams. I talked with Coach Connor on numerous occasions about his/her team. Coach Connor assured me that his/her athletes were clean and that there were absolutely no problems. The fast times of the athletes were of no concern to me because the times of our track athletes have always been better than those of the neighboring schools. But just to be safe, I mailed a letter and a flier about the dangers of steroids to all track team parents.

In January of 1995, I received eight recommendations from Dr. Garnet on improving school safety. I would have loved to implement some of them but it was no use asking the School District for any additional

money. Plus some of the suggestions were excessive or were already in place. After all, I know how to manage my school.

Chris was by no means a model student and I had several talks with him/her about his/her attendance and attitude problems. But, without the cooperation of Mr./Ms. Wilkins, there's really little I could do. Mr./Ms. Wilkins never had the time to meet with me except for that one occasion when he/she wanted to discuss whether the school would nominate Chris for the Carl Lewis Scholarship. The four year college scholarship is given to our best track athlete. I remember thinking that Mr./Ms. Wilkins would stop at nothing to ensure that Chris was our nominee. Track is the heart and soul of Lincoln. In preparation for the 1995 Tri-Conference meet, I bought the team sleek new uniforms for a bargain price of $2,500.

I feel just terrible that it was Dan Peters who sold Chris the steroids. I really thought that the school had finally gotten through to Dan. In March of 1994, after Dan was caught smoking cigarettes in the bathroom, I suspended him for two weeks and had a long meeting with his mother. This was the first time that Dan had been in any kind of trouble. She begged me to give Dan a second chance, because he would only get into trouble if he were suspended since she couldn't supervise him during the day. I refused since I believe strongly in disciplining and teaching children lessons. However, I did agree to allow Dan to continue running. This would provide him with an ideal opportunity to learn about teamwork and discipline. Plus, a running scholarship was Dan's only hope to attend college. Dan surprised us all by making the honor roll for the second semester of his sophomore year. I was so impressed by his progress and

new attitude that I selected him for a paid part-time position mopping the hallways twice a week before classes started. Dan seemed to be a great worker and continued the job as a junior. After Chris's death, I immediately expelled Dan for the remainder of his junior year.

I am deeply sorry for Mr./Mrs. Wilkins's loss. As a principal who cares deeply about each and every student, I grieve for this needless and tragic death. I understand Mr./Mrs. Wilkins' pain, and that he/she is hurt and angry. Clearly, he/she is looking frantically for someone or something to blame. Lincoln is not a complete safe haven. No place is. I do my best to create and maintain as safe a learning environment as possible, but I can't guarantee complete protection from society's evils. In particular, I can't be held responsible when students act irresponsibly. I certainly did not act negligently.

JAMIE WALLACE - WITNESS STATEMENT

(Testifying for Defendant)

Chris Wilkins was my best friend. I met him/her in 9th grade when we started at Lincoln. Chris died on March 24th, 1995 just after I turned 18 years old. It was the spring of our Senior year. Currently, I am in my first year at the Ohio East University on a Carl Lewis Scholarship.

Chris and I met through track. In the fall of 1991, we were trying out for a place on the Varsity track team. Track is the big sport at our school so we have it year round. If you are a track star, the teachers will take it easy on you and you'll get the grades.

I didn't like Chris initially because Chris acted like he/she was better than everyone since he/she came from some snobby, rich school. I have to admit I was glad when I made the Varsity and Chris didn't our freshman year. But, Chris's parent pressured Coach Connor to let Chris run on the Varsity. Courtney Lewis, a teammate, told me that Mr./Mrs. Wilkins paid Pat Connor $100 so that Chris would run Varsity. I believe it since Coach Connor can be a sleaze. However, he/she would never jeopardize the health and safety of the track team. We were like his/her children.

The day I began to like Chris was in November of 1991 when we had just finished a brutally hard work-out. After workouts, Chris would usually run a few more laps to show off. It drove the team crazy. But this time, Chris turned to me in tears and said that his/her times were not up to what his/her parent wanted them to be. I realized what immense pressure Chris was under. Over time, Chris began to share with me that he/she had a lot of problems at home. Chris went to school, ran, then went directly home. That

was it. In the three and a half years that I knew Chris, Chris wasn't allowed to a single dance, a party, or even a visit to my house. I couldn't even talk to Chris on the telephone. Chris was basically a prisoner. It was so unfair since Chris was the perfect child: smart, honest, hard-working, and caring.

The ironic thing is that Chris was no saint despite his/her parent's effort to make Chris one. Chris's parent didn't get home until 9:00 p.m. so many days after practice, I would go over to Chris's to hang out. I would smoke pot on occasion. Chris never joined me but he/she would smoke cigarettes. When the weather was nice, Chris and I sometimes would hang out in the local park.

Lincoln High School is safe thanks to Principal Taylor. Things improved when he/she took over during our sophomore year. He/she is always organizing some kind of anti-violence or anti-drug campaign. You can't turn a corner at school without seeing a poster about the dangers of drug use. There's a policy that if anyone is caught on school ground possessing drugs then they are kicked out -- no questions asked. I guess some people pay attention to the assemblies and posters but what's been most effective are the three-times-a-month random locker searches. I have to admit that I used to bring pot to school before Principal Taylor came, but I would have been a fool to take that chance after Principal Taylor's arrival.

Lincoln has at least four security guards patrolling the halls to make sure students aren't fighting or dealing. One of them, Officer Davis, takes a cat nap every afternoon. Since Dr. Taylor's arrival at Lincoln, I never saw any guns in school but I saw about ten students with knives and five drug deals involving the same guy near the track. During my time at Lincoln,

some students would come to school high. That's nothing compared to what happened before Principal Taylor arrived and to what goes on in the neighborhood. Walking the six blocks home from school, I saw at least one or two drug deals a week. You can buy steroids two blocks from school. Despite all Principal Taylor's encouragement to help foster a safe environment, none of my friends ever reported anything.

Chris and I were obsessed with running. During our junior year, Chris and I kept beating each other's best times in the 100 and 200 meters. Our team didn't win the state championship so we didn't go to the nationals. Chris ran really badly that day. This was the first time we didn't get to the nationals in years. Coach Connor was furious. Coach said that during the 1994/95 season "the team would stop at nothing short of victory" and then gave us an all-knowing wink.

Things began to get out of control for Chris the summer after our junior year. Chris's father/mother gave him/her a subscription to a body-building magazine. Chris decided that by developing the right muscles he/she could take seconds off his/her time so he/she began to pump and to pump. During that summer, Chris became increasingly fit and muscular.

I noticed changes in Chris. One thing I always had admired about Chris was how controlled and steady his/her personality was. But beginning in August of 1994 until his death, Chris became extremely moody. Chris's breath smelled so bad that I often called him/her garbage can mouth. But I stopped calling him/her that in October of 1994 when he/she snapped and punched me in response to my name calling. My mom called Mr./Ms. Wilkins about the incident.

Our senior year, Chris had the fastest times in the 100 and 200 meters. Chris began to skip classes -- usually about three to four classes per week. Second semester, it got worse. Chris would skip between one and two entire days per week. Of course, he/she would always show up for track practice. Chris kept getting bigger and bigger but he/she wasn't doing much lifting anymore. I began to worry about Chris.

In January 1995, it dawned on me what the problem was. During drug awareness week, Principal Taylor had someone come in to talk about the signs and the dangers of steroid use. Chris's behavior and physical appearance were exactly what were being described. I didn't see Chris at school that day but at practice I made a point of bringing up the topic. Chris got red in the face and accused me of being jealous and of wanting to get him/her kicked off the team so I could win the scholarship. I kept my suspicions to myself. That was the last time Chris and I got along.

March 24th was the day of the Tri-Conference meet. I was walking to my second period class when I saw Chris standing in the hall near the exit door leading into the teachers' parking lot. Chris looked like he/she was waiting for someone. Just then Dan Peters opened and entered the school through the side exit. With all Principal Taylor's hype about security, it's rare that you see students using the side doors. Every one knows that you have to go through the front door and the metal detector. Plus signs are posted all over the place about the penalties for letting anyone in through the side doors. I was going to tell them to stop but I decided to mind my own business.

Dan handed Chris a bag filled with some white tablets and said,

"These vitamins will give you just the kick you need for today's meet." Everyone knows that Dan has whatever you need to feel good. Dan was what I considered to be a cool guy since he worked hard, was a gifted athlete, and had the girls waiting in line for him. Chris gave him $10.00 and then swallowed the three tablets. I pretended I didn't see anything and went over to talk with Dan and Chris. About ten to twenty minutes later, Officer Tyler, a school security officer, told us to move along to class. As we were leaving, Chris said, "Same time, same place, next week."

That afternoon at the meet, Chris and I were warming up and just like that Chris collapsed. A crowd gathered. I spotted Chris's father/mother and decided I needed to tell all that I knew. I told Mr./Ms. Wilkins that I had long suspected that Chris was doing steroids, that I had noticed the tell-tale signs, but that Chris had denied using any drugs when I confronted him/her. I then told him/her that I had the proof: the sale between Chris and Dan and the fact that I had seen Chris actually swallow the pills. Mr./Ms. Wilkins gave me a cold stare and said that Chris had warned him/her about me and my lies. Chris died that afternoon.

CAPTAIN MARION SUMMERS - WITNESS STATEMENT

(Testifying for Defendant)

I am forty years old. Since 1985, I have been a captain in the New Columbia police force. I grew up in New Columbia where I graduated from Lincoln High School in 1973. I then graduated from Columbia State University where I majored in law enforcement. In 1977, I enrolled in the New Columbia Police Academy. From 1978 to 1980, I attended two years of law school as an evening student. I discontinued my studies because I felt that I could better protect the community by continuing as a police officer instead of becoming a lawyer. From 1977 to 1985, I patrolled the Lincoln zone, an area comprising a three-mile radius extending from Lincoln High School. In the 1970s, this was a beautiful, prosperous, and peaceful neighborhood. But in the 1980s the character of the neighborhood drastically changed with the economic recession. In the 1980s, the manufacturing industry laid-off over 20,000 employees. The area surrounding Lincoln was disproportionately affected. This area now has the highest rate of crime, both violent and non-violent, of any area in the county. Two blocks away from Lincoln High School is a street known as the "Avenue of Ecstasy". On this street, all drugs are available for purchase. The New Columbia police force has arrested hundreds of dealers along this street in the past five years but the drugs keep coming back. The area is plagued by robberies, burglaries, and car thefts. Even with my gun and other officers escorting me, I get scared to this day when working in this area.

In 1985, I was promoted to captain of the Lincoln zone. My duties as

captain included supervising the police officers who patrolled the area and developing strategies to reduce the criminal activity. In 1985, I attended extensive training classes on strategies for curtailing crime. I implemented many of these strategies in the Lincoln zone such as creating a community crime watch, recruiting informants, and conducting outreach programs for teenagers. I received a medal of commendation for my efforts. Despite our efforts, the high crime rate continued.

In 1987, I realized that much of the crime in the area was being committed by individuals under the age of 21 and that if the behavior of this group could change then criminal activity would be reduced. I began attending a master's program in criminal justice at Columbia State University to increase my knowledge about juvenile crime and prevention. In 1990, I received my master's degree and high honors for my thesis on "Creating a Zone of Safety at Schools." I often make recommendations to schools on safety issues.

In the fall of 1990, the police department approved my proposal to implement a model safe school at Lincoln. I met with Principal Sanders on numerous occasions about our ideas but she was so disorganized and irresponsible that little happened. No wonder the school was a war zone. In 1991/92 academic year, we arrested 38 Lincoln High students for drug-related crimes -- 30 of these arrests took place on school grounds. I was greatly relieved in 1992, when Dr. Terry Taylor took over as principal. These days the drug related incidents at Lincoln are virtually non-existent. Since I've been working with Dr. Taylor, I've visited Lincoln on at least forty occasions. I never saw any students buying or selling drugs at those visits.

Immediately, things began to improve at Lincoln with Dr. Taylor's arrival. He/She created a school safety committee, enforced harsh penalties for students who were caught using or selling drugs, and increased school spirit 100%. In my opinion, by 1993, Lincoln became a model school with 85% of the senior class graduating, with clean halls and cheerful students, and with the best track team in the nation. The kids at Lincoln were the type of kids that were going to be model citizens. Lincoln is one of the safest schools in New Columbia County. In the spring of 1994, only two students from Lincoln were expelled for drug usage. These students were only using steroids anyway. Steroids just aren't as dangerous as some other drugs, especially some of the drugs sold in the neighborhood.

Dr. Taylor is doing an outstanding job in making Lincoln High School a safe haven. In 1993, when Dr. Taylor and I were playing our weekly tennis game, we decided to create a model school/police force crime prevention program. Our dream became a reality in the fall of 1994. The idea behind the program was to combine school and police resources to create a school zone of safety. For instance, once a month police officers conduct an assembly on crime prevention. In October of 1994, I gave a lecture on the need for students to help police the school. I detailed three ways students could assist the school in fighting crime: reporting criminal activity; not permitting anyone to enter or exit through the school's side doors; and obeying the school officers. The school's security officers are an impressive group of highly trained professionals. The students gave me a standing ovation.

To help Lincoln out, three police officers patrol Lincoln High together about four times each month for about half an hour through unannounced visits. In the fall of 1994, one officer confiscated a pack of cigarettes and another confiscated ten whipped cream canisters -- unfortunately, someone had already inhaled the potentially deadly nitrous oxide fumes. This type of behavior is reminiscent of my high school days at Lincoln, not of the drug market atmosphere of the late 1980s at Lincoln. Around the fall of 1994, Dr. Taylor did mention that he/she had some problems with some track students but that he/she had the situation under control. I sent Principal Taylor a memorandum about the possibility of drug testing some of the athletes.

Because of the success of the police department's crime-prevention educational series at Lincoln, in the fall of 1994, I received a $5,000 salary bonus and Dr. Taylor received $2,000 to be used on behalf of the school.

I met with Dr. Garnet after he/she prepared the school safety report. I thought that it was unprofessional that I had not been consulted before the report was published. After all, I've been working on safety issues at Lincoln since 1990. She/he had some valid suggestion such as the installation of bells on the exit doors and photo IDs of students. I talked to Dr. Taylor about the need for IDs. Dr. Taylor agreed that the IDs would be a good idea but that the money was better spent on the track team's new uniforms in preparation for the Tri-Conference meet. The rest of Dr. Garnet's report about Lincoln is pure garbage. I am much more of an expert about security at Lincoln than Dr. Garnet. On a scale of 1 to 10, Lincoln is an 8 in terms of safety.

Release from Liability

This is a binding agreement between Pat Connor and Kyle Wilkins, the representative of the estate of Chris Wilkins.

Provision I

In exchange for the testimony of Pat Connor in all proceedings relating to the case of Kyle Wilkins, Representative of the Estate of Chris Wilkins v. New Columbia County School District, Kyle Wilkins agrees to the following:

1) Kyle Wilkins will release all actionable claims, actions, and demands whatsoever against Pat Connor related to the death of Chris Wilkins on March 24th, 1995; and

2) Kyle Wilkins will forgive Pat Connor for any role that Pat may have played in the death of Chris Wilkins.

Provision 2

In exchange for the benefits due Pat Connor in Provision 1, Pat Connor agrees to testify honestly and accurately regarding the events related to the death of Chris Wilkins.

Signed,

Pat Connor
Pat Connor

Kyle Wilkins
Kyle Wilkins

Date: July 25, 1995

Safety Statistics: Lincoln High School

(January to December 1994)
Prepared by Dr. Devon Garnet

	Lincoln High School	Brookview High School	Patterson High School
Location	New Columbia County	Falls View, VA	Big City, TX
Student Population	1,000	900	1,300
Drugs Confiscated on School Property	25 reefers 8 LSD tablets 2 vials cocaine 25 steroid pills 10 nitrous oxide	4 reefers 4 LSD tablets 10 zip-locked bags of crack cocaine 5 steroid pills	55 reefers 15 LSD tablets 5 vials cocaine 35 steroid pills
Students expelled for drug use or possession	8 for reefers 2 for steroids 1 for cocaine 4 for LSD 2 for nitrous oxide	3 for reefers 1 for LSD 2 for crack 1 for steroids	5 for reefers 4 for LSD 3 for cocaine 1 for steroids
Number of Security Officers Patrolling School	4	5	8

November 12, 1994

Kyle Wilkins
2323 Sundale Drive
New Columbia, ___ 01234

Dear Kyle:

Greetings. I am writing all parents of track team members about what could be a serious problem -- the use of steroids by athletes to enhance their performance. We have no reason to believe that track team members are currently using steroids. There have been no major problems in the past. However, since steroid usage is on the rise nationally, we wanted to advise you of this trend.

I have attached an information sheet on the signs of steroid usage. Both the school and the parents must work together to protect our children from the harmful effects of steroids.

If you suspect your child is using steroids, please notify the school and consult your doctor.

Thank you for your attention to this matter.

Sincerely,
Dr. Terry Taylor

Attachment

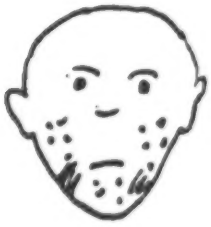
Dear Kyle,

Chris's times are improving at a miraculous pace. Keep it up and the Carl Lewis Scholarship is within reach.

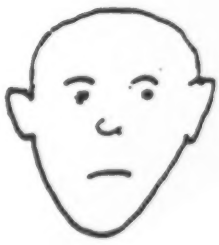
Fondly, Terry

The Warning Signs of ANABOLIC STEROIDS

Breath
Bad.
Smelly.

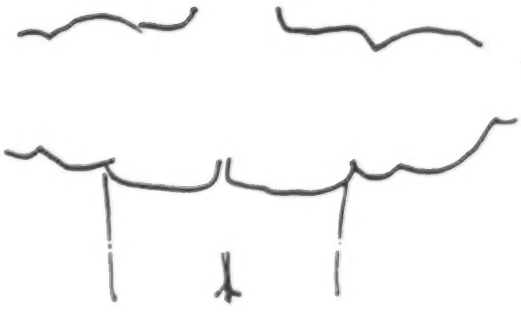


Skin
Acne.
Yellowing.
Red splotches.



Hair
Balding.

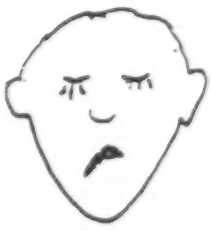
Heart
Higher risk of heart disease. heart attack. and death.



Chest
Soreness.
Tenderness.

Muscles
Increased injuries.
Bulking.

Bladder
Frequent urination.



Head
Mood Swings.
Aggression.
Fatigue.
Headaches.

Bones
Stunted growth.
Pain.

MEMORANDUM

TO: Principal Terry Taylor

FROM: Captain Marion Summers

DATE: October 18, 1994

RE: Drug Testing of Athletes

****

I hope today finds you well. It's been such a pleasure working with you to improve the safety of Lincoln High School. I look forward to continuing our collaborative efforts. The police officers especially enjoy working with the school which has such an incredible track team -- the pride and joy of New Columbia County.

I thought you would be interested to know recent developments in the law regarding the drug-testing of athletes. The U.S. Supreme Court is deciding whether it is permissible to require all students who wish to participate in a school's football program to submit to drug testing. The decision will be out in the spring.

It looks like the Supreme Court will allow the testing because of the following:

a) the invasion of privacy is minimal since it's no more intrusive than using a public bathroom;

b) high school students do not have as many privacy rights at school as adults do in our society;

c) drugs have been a tremendous problem with the football team in the past; and

d) football is a dangerous sport that heightens the harm that drug use may cause.

It would be a good idea to talk with the New Columbia County School District attorney about whether testing would be appropriate. You can't be too safe.